

Oklahoma's Open Records Act

Title 51 Oklahoma Statutes §§ 24A.1 *et seq.*

City of Tulsa Open Records Policy

On August 10, 1995, Mayor M. Susan Savage signed Executive Order 95-04. That Order was issued to ensure that the City of Tulsa would fully comply with requirements established by the Oklahoma Open Records Act, Title 51 Oklahoma Statutes, §§ 24A.1 et seq. The materials contained in this paper are provided by the Tulsa City Attorney's Office as guidance to record custodians appointed pursuant to the Mayor's Executive Order. It contains four parts: (1) Executive Order 95-04, (2) The Oklahoma Open Records Act, as currently enacted, (3) Frequently Asked Questions and Answers regarding open records of the City and (4) Sample Forms, that can be used by City officials in compliance with these directives .

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EXECUTIVE ORDER 95-04

OFFICE OF THE MAYOR
TULSA, OKLAHOMA

Executive Order No. 95-04
August 10, 1995

ESTABLISHING ADMINISTRATIVE PROCEDURES GOVERNING THE OPEN RECORDS POLICY OF THE CITY OF TULSA.

Section 1. **Purpose:** To implement Article XII, Section 16, Amended Charter of City of Tulsa.

Section 2. **Statement of Policy:** The City of Tulsa shall fully comply with the Oklahoma Open Records Act ("State Act") (tit. 51, Okl. Stat., § 24A.1, et seq.), as said Act presently exists or may hereafter be amended by the Oklahoma Legislature. As defined by and subject to the requirements and limitations expressed in the State Act, all records of the City of Tulsa, its departments, boards, authorities and commissions shall be open for inspection, copying and/or mechanical

reproduction during regular business hours.

Section 3. **Appointment of Record Custodians.** Every department and every board, authority and commission of the City of Tulsa ("City public body"), shall designate in writing one or more record custodians who are authorized to release its public records. Record custodian appointments shall be sufficient in number to ensure that at least one authorized person is available at all times to release public records during regular business hours. Every City department and City public body having parts of its public records at locations remote from its main administrative office shall post at each remote location a public notice which identifies the location where its appointed record custodian(s) is located for the purpose of receiving any request presented under the Open Records Act. The appointment of record custodians shall be posted for public view at the main administrative office of each City department and City public body.

Section 4. **Open Record Requests.** Excluding documents or records specifically prepared for public distribution by any City department or City public body, all requests for City

public records shall be in writing, either in letter form or utilizing a standardized open records request form furnished by the City. Open Records Act request forms shall be available for public use at the main administrative office of every City department and City public body. All record requests must describe the records which are the subject of the request to a degree that the record custodian can be reasonably certain that the records produced for inspection, copying and/or mechanical reproduction are fully responsive to the presented request. Vague, open-ended or all-inclusive record production requests shall not be accepted for processing. In any instance where a record custodian cannot process a presented records request, the custodian shall explain to the requesting party the circumstances preventing processing. All document requests shall be retained by each record custodian for three calendar years.

Section 5. **Processing Record Requests.** The production of records responsive to a presented request shall be handled promptly by record custodians. The date and time when a request is presented and the date and time when the requested records are produced shall be noted on the processed record request. The processing of a record request, in all cases, shall ensure the integrity and security of City records, and every request shall be processed in a manner which prevents excessive disruption of the essential functions of the office in which the records are maintained.

Section 6. **Scope of Records Search.** The appointment of a record custodian within a City department, office, board, authority or commission shall be effective to include only those

records maintained by the City public body responsible for the custodian's appointment. In no instance shall a record custodian be responsible for the production of records which are not subject to his/her authority. Record custodians receiving a misdirected record request seeking the production of records not under the custodian's control shall, if known by the custodian, inform the requesting party the identity and location of the City department, office, board, authority or commission which is most likely to have the desired City records.

Section 7. **Records in Storage.** Records of any City department or City public body placed in either permanent or temporary storage shall remain the responsibility of the City department or City public body placing the records in storage.

Section 8. **Computer Records.** Any City department or City public body responsible for creating computer records or data storage computer files shall be responsible for administering the appropriate release of such records or files, notwithstanding the circumstance that they may be physically located within a centralized City computer record system or centralized City computer data storage file system.

Section 9. **Fees for Records.** This Order herewith adopts the schedule of Open Record Act fees appearing at "Appendix A". No charge shall be assessed or collected for any City public record which was specifically prepared for public distribution. A copy of this fee schedule shall be posted in the City Clerk's office and at each location where Open Records Custodian Appointments are posted.

Section 10. **Accountability for Funds.** Record custodians shall be responsible for the collection of required fees and accountable for their deposit into an appropriate City registry, as follows:

1. Record custodians collecting money at any office located within the civic center complex (City Hall, Municipal Police Courts Building, Maxwell Convention Center) not having a secure cash depository approved by the Director of Finance shall deposit all collected money in excess of \$20.00 with the Treasury Division of the Finance Department on a daily basis.

2. Record custodians collecting money at any office not located within the civic center complex and all record custodians in the civic center complex not making daily deposits as required by the preceding paragraph shall deposit all collected money with the Treasury Division of the Finance Department in accordance with a written policy established by the custodian's appointing authority, which policy shall be approved in writing by the Director of Finance.

Section 11. **Legal Questions.** Any record custodian having a question concerning whether or not a requested document is a "public record" as defined by Oklahoma's Open Records Act or relating to the amount of the charge which should be collected pursuant to "Appendix A" to this order is directed to contact the office of the City Attorney for guidance.

Section 12. **Effective Date.** This Order shall take effect immediately.

/s/ M. Susan Savage
M. Susan Savage, Mayor

AUG 10 1995

Date

ATTEST:

/s/ Michael P. Kier
City Clerk

APPROVED:

/s/ David L. Pauling
City Attorney

APPENDIX A
TO OPEN RECORDS POLICY
OF CITY OF TULSA

**PUBLIC NOTICE OF CHARGES
FOR REPRODUCTION OF CITY
RECORDS PURSUANT TO OPEN
RECORDS POLICY OF CITY OF
TULSA**

Pursuant to the open records policy of the City of Tulsa which implements as City policy the provisions of Oklahoma's Open Records Act (Okla. Stat., tit. 51, § 24A.1, et seq.), the following schedule of charges is posted in the public access area of the City Clerk's office, Room 915 of City Hall, and in the County Clerk's office of Tulsa County, Oklahoma.

Type of Request Cost

- 1. Photo copier .. \$.20 each page
- 2. Microfilm (16mm) duplication
..... \$ 7.55 per 100 ft. roll
- 3. Blue line copies of engineering
..... \$.10 per sq. ft. drawings
designs, etc.
- 4. Computer generated records/
reports \$.25 each page,
plus any directly incurred costs*
- 5. Magnetic tape and contents \$35.00

- 6. Audio cassette tape recordings
.... \$ 5.00 per 60 min. cassette
- 7. Photographs actual cost to City for
reprinting/copying
- 8. Video Recordings (VCR)
..... \$ 7.50 per T120
- 9. Document Search Fee
..... \$ 8.00 per hour **

* Many City computer records are maintained in computer file server systems which are maintained by City's Telecommunications Department pursuant to support agreements with individual City public bodies. Accessing an "off-line" computer record at the request of a system user can result in an expense to the City. The actual cost of this bill, if incurred solely incident to a records request, represents a "direct cost" which is properly payable by the person presenting a request for such record. The amount of this cost will vary depending upon the scope of the document request.

** Oklahoma's Open Records Act, at Section 24A.5(3), establishes explicit restrictions upon the assessment of this cost. **Contact the Office of the City Attorney before assessing this cost.**

**OKLAHOMA OPEN
RECORDS ACT**

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- §24A.26 Intergovernmental self-insurance pools —Confidential information

§ 24A.1. Short title

Section 24A.1 *et seq.* of this title shall be known and may be cited as the "Oklahoma Open Records Act".

Laws 1985, c. 355, § 1, eff. Nov. 1, 1985; amended by Laws 1988, c. 68, § 1, eff. Nov. 1, 1988; Laws 1988, c. 187, § 1, emerg. eff. June 6, 1988, Laws 1996, c. 247, § 41, eff. July 1, 1996; Laws 1997, c. 2, § 10, emerg. eff. Feb. 26, 1997.

§ 24A.2. Public policy —Purpose of act

As the Oklahoma Constitution recognizes and guarantees, all political power is inherent in the people. Thus, it is the public policy of the State of Oklahoma that the people are vested with the inherent right to know and be fully informed about their government. The Oklahoma Open Records Act¹ shall not create, directly or indirectly,

any rights of privacy or any remedies for violation of any rights of privacy; nor shall the Oklahoma Open Records Act, except as specifically set forth in the Oklahoma Open Records Act, establish any procedures for protecting any person from release of information contained in public records. The purpose of this act² is to ensure and facilitate the public's right of access to and review of government records so they may efficiently and intelligently exercise their inherent political power. The privacy interests of individuals are adequately protected in the specific exceptions to the Oklahoma Open Records Act or in the statutes which authorize, create or require the records. Except where specific state or federal statutes create a confidential privilege, persons who submit information to public bodies have no right to keep this information from public access nor reasonable expectation that this information will be kept from public access; provided, the person, agency or political subdivision shall at all times bear the burden of establishing such records are protected by such a confidential privilege. Except as may be required by other statutes, public bodies do not need to follow any procedures for providing access to public records except those specifically required by the Oklahoma Open Records Act.

Laws 1985, c. 355, § 2, eff. Nov. 1, 1985; amended by Laws 1988, c. 187, § 2, emerg. eff. June 6, 1988.

¹Section 24A.1 *et seq.* of this title.

²Section 24A.1 *et seq.* of this title.

§ 24A.3. Definitions

Definitions. As used in this act:¹

1. "Record" means all documents, including, but not limited to, any book, paper, photograph, microfilm, data

files created by or used with computer software, computer tape, disk, and record, sound recording, film recording, video record or other material regardless of physical form or characteristic, created by, received by, under the authority of, or coming into the custody, control or possession of public officials, public bodies, or their representatives in connection with the transaction of public business, the expenditure of public funds or the administering of public property. "Record" does not mean computer software, nongovernment personal effects or, unless public disclosure is required by other laws or regulations, vehicle movement records of the Oklahoma Turnpike Authority obtained in connection with the Authority's electronic toll collection system, personal financial information, credit reports or other financial data obtained by or submitted to a public body for the purpose of evaluating credit worthiness, obtaining a license, permit, or for the purpose of becoming qualified to contract with a public body;

2. "Public body" shall include, but not be limited to, any office, department, board, bureau, commission, agency, trusteeship, authority, council, committee, trust or any entity created by a trust, county, city, village, town, township, district, school district, fair board, court, executive office, advisory group, task force, study group, or any subdivision thereof, supported in whole or in part by public funds or entrusted with the expenditure of public funds or administering or operating public property, and all committees, or subcommittees thereof. Except for the records required by Section 24A.4 of this title, "public body" does not mean judges, justices, the Council on Judicial

Complaints, the Legislature, or legislators;

3. "Public office" means the physical location where public bodies conduct business or keep records;

4. "Public official" means any official or employee of any public body as defined herein; and

5. "Law enforcement agency" means any public body charged with enforcing state or local criminal laws and initiating criminal prosecutions, including, but not limited to, police departments, county sheriffs, the Department of Public Safety, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Alcoholic Beverage Laws Enforcement Commission, and the Oklahoma State Bureau of Investigation.

Laws 1985, c. 355, § 3, eff. Nov. 1, 1985; amended by Laws 1987, c. 222, § 117, operative July 1, 1987; Laws 1988, c. 187, § 3, emerg. eff. June 6, 1988; Laws 1993, c. 39, § 1, eff. Sept. 1, 1993; Laws 1996, c. 209, § 2, eff. Nov. 1, 1996; Laws 1998, c. 315, § 4, emerg. eff. May 28, 1998; Laws 1998, c. 368, § 11, eff. July 1, 1998.

¹ Section 24A.1 *et seq.* of this title.

§ 24A.4. Record of receipts and expenditures

In addition to other records which are kept or maintained, every public body and public official has a specific duty to keep and maintain complete records of the receipt and expenditure of any public funds reflecting all financial and business transactions relating thereto, except that such records may be disposed of as provided by law.

Laws 1985, c. 355, § 4, eff. Nov. 1, 1985.

§ 24A.5. Inspection, copying and/or mechanical reproduction of records — Exemptions

All records of public bodies and public officials shall be open to any person for inspection, copying, and/or mechanical reproduction during regular business hours; provided:

1. The Oklahoma Open Records Act, Section 24A.1 *et seq.* of this title, does not apply to records specifically required by law to be kept confidential including:

- a. records protected by a state evidentiary privilege such as the attorney-client privilege, the work product immunity from discovery and the identity of informer privileges; or
- b. records of what transpired during meetings of a public body lawfully closed to the public such as executive sessions authorized under the Oklahoma Open Meeting Act, Section 301 *et seq.* of Title 25 of the Oklahoma Statutes, or
- c. personal information within driver records as defined by the Driver's Privacy Protection Act, 18 United States Code, Sections 2721 through 2725.
- d. information in the files of the Board of Medicolegal Investigations obtained pursuant to Sections 940 and 941 of Title 63 of the Oklahoma Statutes that may be hearsay, preliminary unsubstantiated investigation-

related findings, or confidential medical information.

2. Any reasonably segregable portion of a record containing exempt material shall be provided after deletion of the exempt portions, provided however, the Oklahoma Department of Public Safety shall not be required to assemble for the requesting person specific information requested from the Oklahoma Department of Public Safety's Driver License file relating to persons whose names and dates of birth or whose driver license numbers are not furnished by the requesting person. The Oklahoma State Bureau of Investigation shall not be required to assemble for the requesting person any criminal history records relating to persons whose names and dates of birth are not furnished by the requesting person.

3. Any request for a record which contains individual records of persons and the cost of copying, reproducing or certifying such individual record which is otherwise prescribed by state law, the cost may be assessed for each individual record, or portion thereof requested as prescribed by state law. Otherwise, a public body may charge a fee only for recovery of the reasonable, direct costs of document copying, or mechanical reproduction. Notwithstanding any state or local provision to the contrary, in no instance shall said document copying fee exceed twenty-five cents (\$0.25) per page for documents having the dimensions of eight and one half (8½) by fourteen (14) inches or smaller, or a maximum of One Dollar (\$1.00) per copied page for a certified copy. However, if the request:

- a. is solely for commercial purpose, or

b. would clearly cause excessive disruption of the public body's essential functions,

then the public body may charge a reasonable fee to recover the direct cost of document search, however, publication in a newspaper or broadcast by news media for news purposes shall not constitute a resale or use of data for trade or commercial purpose and charges for providing copies of electronic data to the news media for a news purpose shall not exceed the direct cost of making the copy.

Any public body establishing fees under this act shall post a written schedule of said fees at its principal office and with the county clerk.

In no case shall a search fee be charged when the release of said documents is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.

The fees shall not be used for the purpose of discouraging requests for information or as obstacles to disclosure of requested information.

4. The land description tract index of all recorded instruments concerning real property required to be kept by the county clerk of any county shall be available for inspection or copying in accordance with the provisions of the Oklahoma Open Records Act; provided, however, such index shall not be copied and/or mechanically reproduced for the purpose of sale of such information.

5. A public body must provide prompt, reasonable access to its records but may establish reasonable procedures which protect the integrity and organization of its records and to prevent excessive disruptions of its essential functions.

6. A public body shall designate certain persons who are authorized to release records of the public body for inspection, copying, or mechanical reproduction. At least one such person shall be available at all times to release records during the regular business hours of the public body.

Laws 1985, c. 355, § 5, eff. Nov. 1, 1985; amended by Laws 1986, c. 213, § 1, eff. June 6, 1986; Laws 1986, c. 279, § 29, operative July 1, 1986; Laws 1988, c. 187, § 4, emerg. eff. June 6, 1988; Laws 1992, c. 231, § 2, emerg. eff. May 19, 1992; Laws 1993, c. 97, § 7, eff. Sept. 1, 1993; Laws 1996, c. 209, § 3, eff. Nov. 1, 1996; Laws 2000, c. 342, § 8, eff. June 6, 2000; Laws 2001, c. 137 § 1, emerg. eff. April 24, 2001.

§ 24A.6. Public body maintaining less than 30 hours of regular business per week—Inspection, copying or mechanical reproduction of records

A. If a public body or its office does not have regular business hours of at least thirty (30) hours a week, the public body shall post and maintain a written notice at its principal office and with the county clerk where the public body is located which notice shall:

1. Designate the days of the week when records are available for inspection, copying or mechanical reproduction;

2. Set forth the name, mailing address, and telephone number of the individual in charge of the records; and

3. Describe in detail the procedures for obtaining access to the records at least two days of the week, excluding Sunday.

B. The person requesting the record and the person authorized to release the records of the public body may agree to inspection, copying, or mechanical reproduction on a day and at a time other than that designated in the notice.

Laws 1985, c. 355, § 6, eff. Nov. 1, 1985.

§ 24A.7. Personnel records—Confidentiality—Inspection and copying

A. A public body may keep personnel records confidential:

1. Which relate to internal personnel investigations including examination and selection material for employment, hiring, appointment, promotion, demotion, discipline, or resignation; or

2. Where disclosure would constitute a clearly unwarranted invasion of personal privacy such as employee evaluations, payroll deductions, employment applications submitted by persons not hired by the public body, and transcripts from institutions of higher education maintained in the personnel files of certified public school employees; provided, however, that nothing in this subsection shall be construed to exempt from disclosure the degree obtained and the curriculum on the transcripts of certified public school employees.

B. All personnel records not specifically falling within the exceptions provided in subsection A of this section shall be available for public inspection and copying including, but not limited to, records of:

1. An employment application of a person who becomes a public official;
2. The gross receipts of public funds;
3. The dates of employment, title or position; and
4. Any final disciplinary action resulting in loss of pay, suspension, demotion of position, or termination.

C. Except as may otherwise be made confidential by statute, an employee of a public body shall have a right of access to his own personnel file.

D. Public bodies shall keep confidential the home address of any person employed or formerly employed by the public body.

Laws 1985, c. 355, § 7, eff. Nov. 1, 1985; amended by Laws 1990, c. 257, § 6, emerg. eff. May 23, 1990; Laws 1994, c. 177, § 1, eff. Sept. 1, 1994.

§ 24A.8. Law enforcement records—Disclosure

A. Law enforcement agencies shall make available for public inspection, if kept, the following records:

1. An arrestee description, including the name, date of birth, address, race, sex, physical description, and occupation of the arrestee;
2. Facts concerning the arrest, including the cause of arrest and the name of the arresting officer;

3. Conviction information, including the name of any person convicted of a criminal offense;

4. Disposition of all warrants, including orders signed by a judge of any court commanding a law enforcement officer to arrest a particular person;

5. A chronological list of incidents, including initial offense report information showing the offense, date, time, general location, officer and a brief summary of what occurred;

6. A crime summary, including a departmental summary of crimes reported and public calls for service by classification or nature and number;

7. Radio logs, including a chronological listing of the calls dispatched; and

8. Jail registers, including jail blotter data or jail booking information recorded on persons at the time of incarceration showing the name of each prisoner with the date and cause of his commitment, the authority committing the prisoner, whether committed for a criminal offense, a description of the prisoner, and the date or manner of his discharge or escape.

B. Except for the records listed in subsection A of this section and those made open by other state or local laws, law enforcement agencies may deny access to law enforcement records except where a court finds that the public interest or the interest of an individual outweighs the reason for denial.

C. Nothing contained in this section imposes any new recordkeeping requirements. Law enforcement

records shall be kept for as long as is now or may hereafter be specified by law. Absent a legal requirement for the keeping of a law enforcement record for a specific time period, law enforcement agencies shall maintain their records for so long as needed for administrative purposes.

D. Registration files maintained by the Department of Corrections pursuant to the provisions of the Sex Offenders Registration Act¹ shall be made available for public inspection in a manner to be determined by the Department.

E. The Council on Law Enforcement Education and Training (C.L.E.E.T.) shall keep confidential all records it maintains pursuant to Section 3311 of Title 70 of the Oklahoma Statutes and deny release of records relating to any employed or certified full-time officer, reserve officer, retired officer or other person; teacher lesson plans, tests and other teaching materials; and personal communications concerning individual students except under the following circumstances:

1. To verify the current certification status of any peace officer;
2. As may be required to perform the duties imposed by Section 3311 of Title 70 of the Oklahoma Statutes;
3. To provide to any peace officer copies of the records of that peace officer upon submitting a written request;
4. To provide final orders of administrative proceedings where an adverse action was taken against a peace officer; and
5. Pursuant to an order of the district court of the State of Oklahoma.

Laws 1985, c. 355, § 8, eff. Nov. 1, 1985; amended by Laws 1989, c. 212, § 8, eff. Nov. 1, 1989; Laws 2000, c. 226, § 1, eff. November 1, 2000; Laws 2000, c. 349, § 2, eff. November 1, 2000; Laws 2001, c. 5, § 29, emerg. eff. March 21, 2001.

¹ Title 57 Section 581 *et seq.*

§ 24A.9. Personal notes and personally created material—Confidentiality

Prior to taking action, including making a recommendation or issuing a report, a public official may keep confidential his or her personal notes and personally created materials other than departmental budget requests of a public body prepared as an aid to memory or research leading to the adoption of a public policy or the implementation of a public project.

Laws 1985, c. 355, § 9, eff. Nov. 1, 1985.

§ 24A.10. Voluntarily supplied information—Bids, computer programs, appraisals and prospective business locations— Department of Commerce records—Confidentiality—Disclosure

A. Any information, records or other material heretofore voluntarily supplied to any state agency, board or commission which was not required to be considered by that agency, board or commission in the performance of its duties may, within thirty (30) days from the effective date of this act,¹ be removed from the files of such agency, board or commission by the person or entity which originally voluntarily supplied such information. Provided, after thirty (30) days from the effective date of this act, any information

voluntarily supplied shall be subject to full disclosure pursuant to this act.

B. If disclosure would give an unfair advantage to competitors or bidders, a public body may keep confidential records relating to:

1. Bid specifications for competitive bidding prior to publication by the public body; or
2. Contents of sealed bids prior to the opening of bids by a public body; or
3. Computer programs or software but not data thereon; or
4. Appraisals relating to the sale or acquisition of real estate by a public body prior to award of a contract; or
5. The prospective location of a private business or industry prior to public disclosure of such prospect except for records otherwise open to inspection such as applications for permits or licenses.

C. Except as set forth hereafter, the Oklahoma Department of Commerce may keep confidential:

1. Business plans, feasibility studies, financing proposals, marketing plans, financial statements or trade secrets submitted by a person or entity seeking economic advice from the Oklahoma Department of Commerce; and
2. Information compiled by the Oklahoma Department of Commerce in response to those submissions.

The Oklahoma Department of Commerce may not keep confidential that submitted information when and to the extent the person or entity submitting the information consents to disclosure.

D. Although they must provide public access to their records, including records of the name, address, rate paid for services, charges, and payment for each customer, public bodies that provide utility services to the public may keep confidential credit information, credit card numbers, telephone numbers, and bank account information for individual customers.

Laws 1985, c. 355, § 10, eff. Nov. 1, 1985; amended by Laws 1988, c. 187, § 5, emerg. eff. June 6, 1988; Laws 1996, c. 209, § 4, eff. Nov. 1, 1996.

¹Section 24A.1 *et seq.* of this title.

§ 24A.10a. Oklahoma Medical Center—Market research and marketing plans—Confidentiality

The Oklahoma Medical Center may keep confidential market research conducted by and marketing plans developed by the Oklahoma Medical Center if the Center determines that disclosure of such research or plans would give an unfair advantage to competitors of the Oklahoma Medical Center regarding marketing research and planning, public education, and advertising and promotion of special and general services provided by the Oklahoma Medical Center.

Added by Laws 1988, c. 266, § 22, operative July 1, 1988.

§ 24A.11. Library, archive or museum materials—Confidentiality

A. A public body may keep confidential library, archive, or museum materials donated to the public body to the extent of any limitations imposed as a condition of the donation and any information

which would reveal the identity of an individual who lawfully makes a donation to or on behalf of a public body including, but not limited to, donations made through a foundation operated in compliance with Sections 5-145 and 4306 of Title 70 of the Oklahoma Statutes.

B. If library, archive, or museum materials are donated to a public body and the donation may be claimed as a tax deduction, the public body may keep confidential any information required as a condition of the donation except the date of the donation, the appraised value claimed for the donation, and a general description of the materials donated and their quantity.

Laws 1985, c. 355, § 11, eff. Nov. 1, 1985; amended by Laws 1992, c. 231, § 3, emerg. eff. May 19, 1992.

§ 24A.12. Litigation files and investigatory files of Attorney General, district or municipal attorney—Confidentiality

Except as otherwise provided by state or local law, the Attorney General of the State of Oklahoma and agency attorneys authorized by law, the office of the district attorney of any county of the state, and the office of the municipal attorney of any municipality may keep its litigation files and investigatory reports confidential.

Laws 1985, c. 355, § 12, eff. Nov. 1, 1985; amended by Laws 1988, c. 187, § 6, emerg. eff. June 6, 1988.

§ 24A.13. Federal records—Confidentiality

Records coming into the possession of a public body from the federal

government or records generated or gathered as a result of federal legislation may be kept confidential to the extent required by federal law.

Laws 1985, c. 355, § 13, eff. Nov. 1, 1985.

§ 24A.14. Personal communications relating to exercise of constitutional rights—Confidentiality

Except for the fact that a communication has been received and that it is or is not a complaint, a public official may keep confidential personal communications received by the public official from a person exercising rights secured by the Constitution of the State of Oklahoma or the Constitution of the United States. The public official's written response to this personal communication may be kept confidential only to the extent necessary to protect the identity of the person exercising the right.

Laws 1985, c. 355, § 14, eff. Nov. 1, 1985.

§ 24A.15. Crop and livestock reports—Public warehouse financial statements—Confidentiality

A. The Division of Agricultural Statistics, Oklahoma Department of Agriculture, also known as the Oklahoma Crop and Livestock Reporting Service, may keep confidential crop and livestock reports provided by farmers, ranchers, and agri-businesses to the extent the reports individually identify the providers.

B. The State Board of Agriculture is authorized to provide for the confidentiality of any financial

statement filed pursuant to Section 9-22 of Title 2 of the Oklahoma Statutes. Copies of such financial statements may only be obtained upon written request to the Commissioner of Agriculture.

Upon good cause shown, and at the discretion of the Commissioner of Agriculture, such financial statements may be released.

Laws 1985, c. 355, § 15, eff. Nov. 1, 1985; amended by Laws 1988, c. 259, § 14, emerg. eff. June 29, 1988.

§ 24A.16. Educational records and material—Confidentiality

A. Except as set forth in subsection B of this section, public educational institutions and their employees may keep confidential:

1. Individual student records;
2. Teacher lesson plans, tests and other teaching material; and
3. Personal communications concerning individual students.

B. If kept, statistical information not identified with a particular student and directory information shall be open for inspection and copying. "Directory information" includes a student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational institution attended by the student. Any educational agency or institution making public directory information shall give public notice of the categories of information which it has designated as such information

with respect to each student attending the institution or agency and shall allow a reasonable period of time after such notice has been given for a parent to inform the institution or agency that any or all of the information designated should not be released without the parent's or guardian's prior consent or the student's himself if he is eighteen (18) years of age or older.

Laws 1985, c. 355, § 16, eff. Nov. 1, 1985; amended by Laws 1986, c. 116, § 1, eff. April 9, 1986.

§ 24A.17. Violations—Penalties—Civil liability

A. Any public official who willfully violates any provision of the Oklahoma Open Records Act,¹ upon conviction, shall be guilty of a misdemeanor, and shall be punished by a fine not exceeding Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for a period not exceeding one (1) year or by both such fine and imprisonment.

B. Any person denied access to a record of a public body or public official may bring a civil suit for declarative and/or injunctive relief and, if successful, shall be entitled to reasonable attorney fees. If the public body or public official successfully defends a civil suit and the court finds that the suit was frivolous, the public body or public official shall be entitled to reasonable attorney fees.

C. A public body or public official shall not be civilly liable for damages for providing access to records as allowed under the Oklahoma Open Records Act.

Laws 1985, c. 355, § 17, eff. Nov. 1, 1985.

¹Section 24A.1 *et seq.* of this title.

§ 24A.18. Additional record-keeping not required

Except as may be required in Section 4 of this act,¹ this act does not impose any additional recordkeeping requirements on public bodies or public officials.

Laws 1985, c. 355, § 18, eff. Nov. 1, 1985.

¹ Section 24A.4 of this title.

§ 24A.19. Research records—Confidentiality

In addition to other records that a public body may keep confidential pursuant to the provisions of the Oklahoma Open Records Act, a public body may keep confidential:

1. Any information related to research, the disclosure of which could affect the conduct or outcome of the research, the ability to patent or copyright the research, or any other proprietary rights any entity may have in the research or the results of the research including, but not limited to, trade secrets and commercial or financial information obtained from an entity financing or cooperating in the research, research protocols, and research notes, data, results, or other writings about the research; and

2. The specific terms and conditions of any license or other commercialization agreement relating to state owned or controlled technology or the development, transfer, or commercialization of the technology. Any other information relating to state owned or controlled technology or the development, transfer, or commercialization of the technology which, if disclosed, will adversely

affect or give other persons or entities an advantage over public bodies in negotiating terms and conditions for the development, transfer, or commercialization of the technology. However, institutions within The Oklahoma State System of Higher Education shall:

- a. report to the Oklahoma State Regents for Higher Education as requested, on forms provided by the Regents, research activities funded by external entities or the institutions, the results of which have generated new intellectual property, and
- b. report to the Oklahoma State Regents for Higher Education annually on forms provided:
 - (1) expenditures for research and development supported by the institution,
 - (2) any financial relationships between the institution and private business entities,
 - (3) any acquisition of an equity interest by the institution in a private business,
 - (4) the receipt of royalty or other income related to the sale of products, processes, or ideas by the institution or a private business entity with which the institution has established a financial arrangement,
 - (5) the gains or losses upon the sale or other disposition of equity interests in private business entities, and
 - (6) any other information regarding technology

transfer required by the Oklahoma State Regents for Higher Education.

The reports required in subparagraphs a and b of this paragraph shall not be deemed confidential and shall be subject to full disclosure pursuant to the Oklahoma Open Records Act.

Added by Laws 1988, c. 68, § 2, eff. Nov. 1, 1988; amended by Laws 1999, c. 287, § 1, emerg. eff. May 27, 1999.

§ 24A.20. Records in litigation or investigation file —Access

Access to records which, under the Oklahoma Open Records Act,¹ would otherwise be available for public inspection and copying, shall not be denied because a public body or public official is using or has taken possession of such records for investigatory purposes or has placed the records in a litigation or investigation file. However, a law enforcement agency may deny access to a copy of such a record in an investigative file if the record or a true and complete copy thereof is available for public inspection and copying at another public body.

Added by Laws 1988, c. 187, § 7, emerg. eff. June 6, 1988.

¹ Section 24A.1 *et seq.* of this title.

§ 24A.21. Increment district reports—Exemption from copying fees

The fees that may be charged by a public body pursuant to the provisions of paragraph 3 of Section 24A.5 of Title 51 of the Oklahoma Statutes shall not be charged when a state agency or taxing entity located within

the boundaries of any district created pursuant to the provisions of the Local Development Act¹ request a copy of the reports required by subsections A and B of Section 18 of this act.²

Added by Laws 1992, c. 342, § 21.

¹Title 62 Section 850 *et seq.*

²Title 62 Section 867.

§ 24A.22. Public utilities —Confidential books, records and trade secrets

A. The Corporation Commission shall keep confidential those records of a public utility, its affiliates, suppliers and customers which the Commission determines are confidential books and records or trade secrets.

B. As used in this section, “public utility” means any entity regulated by the Corporation Commission, owning or operating for compensation in this state equipment or facilities for:

1. Producing, generating, transmitting, distributing, selling or furnishing electricity;
2. The conveyance, transmission, or reception of communication over a telephone system; or
3. Transmitting directly or indirectly or distributing combustible hydrocarbon natural or synthetic natural gas for sale to the public.

Added by Laws 1994, c. 315, § 12, eff. July 1, 1994.

§ 24A.23. Department of Wildlife Conservation —Confidentiality of information relating to hunting and fishing licenses

A. The Department of Wildlife Conservation shall keep confidential the information provided by persons, including the name and address of the person, applying for or holding any permit or license issued by the Department, to the extent the information individually identifies the person. The Department may use the information for Department purposes or allow the United States Fish and Wildlife Service to use the information for survey purposes only. The Department shall allow any public body to have access to the information for purposes specifically related to the public bodies function.

B. The provisions of subsection A of this section shall not apply to information provided by persons applying for or holding a commercial hunting or fishing license.

Added by Laws 1996, c. 32, § 1, eff. July 1, 1996.

§ 24A.24. Office of Juvenile System Oversight —Confidentiality of investigatory records and notes

Unless otherwise provided by law, the Office of Juvenile System Oversight may keep its investigatory records and notes confidential, unless ordered by a court of competent jurisdiction to disclose the information.

Added by Laws 1996, c. 247, § 42, eff. July 1, 1996.

§ 24A.25. Order of court for removal of materials from the public record

Any order of the court for removal of materials from the public record shall require compliance with the provisions

of paragraphs 2 through 7 of subsection C of Section 3226 of Title 12 of the Oklahoma Statutes.

Added by Laws 2000, c. 172, § 4, eff. November 1, 2000

§ 24A.26. Intergovernmental self-insurance pools —Confidential information

An intergovernmental self-insurance pool may keep confidential proprietary information, such as actuarial reports, underwriting calculations, rating information and records that are created based on conclusions of such information that are developed through the operation of the intergovernmental self-insurance pool.

Added by Laws 2000, c. 226, § 2, eff. November 1, 2000.

FREQUENTLY ASKED QUESTIONS & ANSWERS

Q: Is there any presumption of confidentiality regarding City records?

A: No, just the opposite, there is a presumption, with certain listed exceptions, that all City records are open to inspection. (51 O.S., § 24A.5)

Q: My department's records include photographs, computer tape records, movie film and tape voice recordings. Are these types of records required to be available for public inspection and copying?

A: Yes. Unless exempted by statute with regard to a listed record

category, all City records that are not exempted, according to a statutory category, must be open for public inspection or copying. (51 O.S., § 24A.3(1))

Q: My department is not able to reproduce all the types of records it maintains. What should I do?

A: Every department needs to review the types of records it maintains. With regard to those types of records that cannot be duplicated within a department, each department needs to ascertain a source for obtaining copies of its records. To the extent possible, copying charges should be preestablished.

Q: Can my department collect copying charges that are not listed in Executive Order 95-04?

A: Yes. A City department is a "public body" as defined by law, and it may charge a fee recovering the reasonable direct cost of furnishing copies of its records. If record copying expenses are recovered, a fee schedule must be posted by the department and a copy of the fee schedule must additionally be posted in the Tulsa County Clerk's Office. (51 O.S., § 24A.5(3))

Q: We anticipate that document requests to my department will inconvenience employees and distract them from their normal duties. Will this circumstance allow delay in responding to record production requests to a time convenient to employees?

A: As a general rule, no. The City has a statutory duty to respond

"promptly" to record requests presented by the public. However, the City has an inherent right to protect the integrity and organization of its records and, by law, the City is obligated to maintain a capacity to perform its essential function. If a record request clearly impinges upon these city rights, you may delay response to a document request to the first opportunity when such circumstance does not exist. In any circumstance where a document request is not handled promptly, the fact situation then existing and justifying this circumstance should be documented in the department's records. (51 O.S., § 24A.5(5))

Q: Does the City's duty to "promptly" meet document requests require employees to work after normal working hours and during normal break and lunch periods?

A: No; however, the circumstances causing the delay (such as untimely presentment of a record request) should be noted on the department's records. (51 O.S., § 24A.5(5))

Q: On what basis must my department's copying or reproduction fees be established?

A: Executive Order 95-04 establishes fees for the most common copying or reproduction requests. Costs for copying, reproducing city records can only include the reasonable direct (i.e., out-of-pocket) costs incurred by the department in copying/reproducing the requested document. "Direct cost" does not, and cannot, include cost of personnel time and intangible

considerations, such as inconvenience. (51 O.S., § 24A.5(3))

Q: Is there any circumstance that will allow my department to charge more than direct costs of copying a document?

A: Yes. If a record request is made for: (1) "commercial purposes" or (2) if compliance with a presented request will "clearly cause excessive disruption of essential functions," in such limited circumstances a document search fee may be collected in addition to the direct costs relating to the copied records. However, the Open Records Act establishes explicit restrictions on charging this cost. Executive Order 95-04, Appendix "A", directs you to contact the City Attorney's Office prior to assessing any document search fee. (51 O.S., § 24A.5(3))

Q: May I collect a document search fee in every instance where the purpose of the document production request is identified as being for a commercial purpose?

A: Subject to a major exception, the answer is yes. An exception exists with regard to certain categories of commercial requests. A document search fee cannot be collected from: the public media (i.e., newspapers, radio stations, magazine reporters, etc.); academic scholars; authors; citizens and citizen groups investigating whether or not public officials or employees are properly performing their public duties. (51 O.S., § 24A.5(3))

Q: Our office is not set up to routinely receive cash in

payment of open record requests and we receive very few such requests. Are we required to assess the fees that are set forth in the Executive Order, or can we simplify our operations by foregoing collection of the fee?

A: You must assess the fee as outlined in § 10 of the Executive Order, unless the record was specifically prepared for distribution to the public.

Q: The municipal court clerk's office is subject to a City ordinance and state law which authorizes it to charge One Dollar (\$1.00) per page as its reproduction cost, but the Mayor's Executive Order sets the fee at \$0.20 per page. What is the proper fee to charge?

A: The Open Records Act provides an exception to the assessment of reproduction costs as established by a public body, if the costs are otherwise prescribed by law. (See § 24A.5(2)) Reproduction costs for municipal courts of record are established by state law (Title 28, Oklahoma Statutes, § 31). Therefore the court clerk's office is authorized to charge the One Dollar (\$1.00) fee.

Q: The police department is subject to a City ordinance which authorizes it to charge fees as reproduction costs, which are apparently in conflict with fees established in the Mayor's Executive Order. What is the proper fee to charge in this case?

A: Certain law enforcement records are not subject to the Oklahoma Open Records Act. For this reason,

the City has enacted Title 29, Tulsa Revised Ordinances § 110, establishing certain fees which the police department may charge for copying. This ordinance also prohibits the assessment of such fees from Armed Services, law enforcement or governmental agencies.

Q: Does the "Open Records Act" entitle citizens to direct, "hands-on" access to the City's records?

A: No. The right of the public is to require that records be produced for inspection and copying. You may provide hands-on access to originals or copies if you decide to do so as a matter policy. If you do allow a requesting party to have direct access to a City record, you must do this while protecting the integrity and security of the records and without causing excessive disruptions to office operations.

Q: What could happen to me if I fail to comply with the Open Records Act or Executive Order 95-04.

A: In the event a public employee does not perform as required by the Act and willfully fails to produce the requested records that are available for production, the employee may be fined and/or jailed. This conduct and charge are criminal in nature, and an employee will not be entitled to representation by the City Attorney's Office during any criminal proceeding. At best, if the accused employee is acquitted, he will be entitled to request the discretionary reimbursement of his private attorney fees upon authorization from the City Council. (51 O.S., §§ 24A.5(5) & 24A.17)

Q: Sometimes we receive a request to fax a record to someone. Is it proper to provide a copy of an open record in this manner? If so, how should we handle the collection of fees?

A: Yes, it is possible to produce a record by fax, if you also comply with the constraints of Executive Order 95-04. This Executive Order requires that all requests for public records of the City be in writing. In addition, record custodians are responsible for the collection of all required fees. In the case of production by fax, if you had to copy or otherwise reproduce the record before faxing it, you must collect the appropriate copying or reproduction fee. However, if you merely faxed an original or a nonphysical, computer generated copy to the requestor, there would be no direct cost of copying or reproduction to the City, and no fee should be assessed. The Act and Executive Order do not describe how you should collect fees when the request is not being made in person. However, as a matter of policy, you should collect any fees before providing a copy of any record.

Q: Are informant/complaint records and correspondence presenting complaints to City officials, including departmental employees and departmental heads, open to public inspection and subject to copying?

A: Generally speaking, no. If a complaint has been presented on a specific topic, this occurrence must be disclosed as a substantial fact without revealing the identity of

the person presenting the complaint. If a written response has been created, it must be produced after deleting or excising the identity of the complainant or informant. (51 O.S., § 24A.14)

Q: Does the "Open Records Act" require the City to maintain records that were previously not required to be kept?

A: No. (51 O.S., §§ 24A.8(C) & 24A.18)

Q: Is my department obligated to provide for the inspection or copying of records that are not required to be maintained because of any law or ordinance?

A: Yes. The term "record" is inclusive of records created by, received by or coming into the custody, control or possession of "public officials and public bodies". "Public body" is defined in a manner to include City officers and City departments. "Public official" is defined to include both elected officials and regular City employees. (51 O.S., § 24A.3(1))

Q: Does the Open Records Act require my department to create a record which we would not have created without an open records request?

A: No. But remember that computer database information is considered a "record" under the Act. You may get some requests that do not precisely match a hard copy report that you routinely produce, but that include some or all of the information you keep in your database. You are required to provide those hard copy reports that

you routinely produce. You are not required to produce a customized report from your database. You may produce a customized report if you decide to do so as an administrative matter. Another option is for you to allow the requesting party to simply view the database information directly from the screen, if you can do so while protecting the integrity and security of the database.

Q: Are "personal" notes created by a public official and relating to his job activities exempt from public disclosure?

A: Conditionally, yes. Purely personal notes of a public official prepared prior to finalizing a decision or issuing a recommendation are exempt from disclosure. However, if such notes are maintained after a decision has been finalized, after a report has been issued, or after a policy has been established, such "personal" notes are subject to disclosure if they are maintained by the public official. As an exception to the general rule allowing confidentiality pending a decision, personal notes of a public official related to departmental budget requests are discoverable and disclosable prior to any final budget decision. (51 O.S., § 24A.9)

Q: According to Executive Order 95-04, governing the operation of the "Open Records Act" within the City, what is the direct responsibility of department heads?

A: Department heads must:

1. Establish an internal procedure designed to give the public

reasonable, prompt access to department records;

2. Designate one or more employees as record custodians, responsible for releasing departmental records to the public for inspection/copying. This designation must result in at least one employee being available at all times when the department's offices are open to the public; (51 O.S., § 24A.5(6))
3. Ensure that employees authorized to release records are aware of the types of records that are not subject to release;
4. Properly account for all money collected incident to the reproduction of records.

Department heads should:

1. Be familiar with the types of records within their department that will be available for copying by the public;
2. Ascertain the reasonable actual cost for reproducing their department's records (if not already established by Executive Order 95-04), with regard to each category or type of records maintained by the department;
3. Post a fee schedule identifying the cost for reproducing the public records. (A copy of the established fee schedule must be posted in the office of the Tulsa County Clerk); (51 O.S., § 24A.5(3))
4. Establish an objective standard for determining at what point a record request will be judged as being "disruptive of the department's essential functions" for

ascertaining the circumstances under which the additional assessment of a document search fee would be appropriate;

5. Adopt internal policies designed to protect the organization and integrity of the department's records.

Q: Does the act require release of information contained in public records over the telephone?

A: No. The release of information over the telephone should be discouraged as a matter of policy.

Q: Should public records be released upon an oral request and without a written request?

A: No. The Open Records Act exposes public officials to criminal punishment of one year in jail and a fine not to exceed \$500.00. Use of a written request removes the issue of what was requested and what was produced.

Q: To what degree of specificity must a document request identify the public records(s) being requested for production?

A: Record production requests must be precise enough to identify with reasonable certainty exactly what document is requested. Generalized or "blanket" requests should not be honored. Remember you are exposed to potential civil and criminal liability. You are within your rights to require that specific documents be identified by the person presenting the document request.

Q: I have a computer that is used for E-mail, calendaring

meetings, and receiving phone messages. Is this information subject to the Open Records Act? If so, who is the custodian of these records?

A: Yes, E-mail, electronic calendars and phone messages on your personal computer or system wide network are records subject to the Open Records Act. Executive Order 95-04 makes it the responsibility of each City department or public body which created the record or which is responsible for storing it to comply with record requests regarding them, regardless of whether the record is stored on a personal computer or on a network file server managed by another department.

Q: Who is a "public official" as referred to in the Oklahoma Open Records Act?

A: Every employee of the City and every official of the City, whether elected, appointed or otherwise designated, is a "public official" under the Act. Consequently, records created by or coming into the possession of any City employee, are potentially subject to an open record request, public review and copying.

Q: Individual employees keep records of the passwords to their personal computers and system administrators maintain a list of each user's password. If requested, are we required to produce any of these records?

A: No. You are only required to provide reasonable access to City records. To provide access to passwords and password lists would

constitute unreasonable access and would violate the integrity and organization of the City's records. However, merely because a record is password protected may not prevent a person's access to records that otherwise must be disclosed. (51 O.S. §24A.5(5))

Q: Our office keeps plans detailing the security systems for our building, data processing and communications networks. Are these open records under the Act?

A: Generally, no. Disclosure of security plans, systems, safe combinations and security codes are not records to which persons may be provided reasonable access under the Open Records Act. If you believe portions of these records may be disclosable, the Act does permit you to segregate (i.e., obliterate, delete or otherwise remove) the exempted material and disclose only those portions of the record which are not protected. (51 O.S. §24A.5(2) & (5))

Q: Are medical records of the City Physician open records?

A: No. Although most medical records are considered confidential by State statute (Title 43A, Oklahoma Statutes, Section 1-109) unless there is a written release from the patient, records of the City Physician are considered the internal personnel records of the City. As to these types of records, the City follows the rule established for personnel records, which is that public disclosure is not required by the Act, because it could constitute a clearly unwarranted invasion of personal privacy. However, because these

medical records are personnel records, these files are open for internal City purposes, on a need-to-know basis. They are protected from external requests, in the absence of a court order, a subpoena or a written release from the patient. (51 O.S. §24A.7(A)(2); also, see generally 10 ALR3rd 1071.)

Q: Are drafts of reports and recommendations required to be disclosed, even though they are not finalized?

A: As a general rule, no. So long as no action or recommendation has been made on the draft, and so long as the draft still exists, the public official who personally created it may keep it confidential. However, this answer does not apply to drafts of departmental budget requests of a public body prepared as a memory aid, research leading to the adoption of a public policy, or research leading to the implementation of a public project. (51 O.S. §24A.9)

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Notes



**Martha Rupp Carter
Tulsa City Attorney**

**PUBLIC NOTICE OF CHARGES FOR REPRODUCTION
OF CITY RECORDS PURSUANT TO OPEN RECORDS
POLICY OF CITY OF TULSA**

Pursuant to the open records policy of the City of Tulsa which implements as City policy the provisions of Oklahoma's Open Records Act (Okla. Stat., tit. 51, § 24A.1, et seq.), the following schedule of charges is posted in the public access area of the City Clerk's office, Room 915 of City Hall, and in the County Clerk's office of Tulsa County, Oklahoma.

<u>Type of Request</u>	<u>Cost</u>
1. Photo copier	\$.20 each page
2. Microfilm (16mm) duplication	\$ 7.55 per 100 ft. roll
3. Blue line copies of engineering drawings, designs, etc.	\$.10 per sq. ft.
4. Computer generated records/reports	\$.25 each page, plus any directly incurred costs*
5. Magnetic tape and contents	\$ 35.00
6. Audio cassette tape recordings	\$ 5.00 per 60 min. cassette
7. Photographs	actual cost to City for reprinting/copying
8. Video Recordings (VCR)	\$ 7.50 per T120
9. Document Search Fee	\$ 8.00 per hour **

* Many City computer records are maintained in computer file server systems which are maintained by City's Telecommunications Department pursuant to support agreements with individual City public bodies. Accessing an "off-line" computer record at the request of a system user can result in an expense to the City. The actual cost of this bill, if incurred solely incident to a records request, represents a "direct cost" which is properly payable by the person presenting request for such record. The amount of this cost will vary depending upon the scope of the document request.

** Oklahoma's Open Records Act, at Section 24A.5(3), establishes explicit restrictions upon the assessment of this cost. **Contact the Office of the City Attorney before assessing this cost.**

To request to inspect records or to pay for copies of records, see the following Departmental Record Custodian(s):

REQUEST FOR INSPECTION OF CITY PUBLIC RECORDS

Name of City Department _____ Date _____

Name _____ Address _____

Telephone Number _____

This request is made for a business or personal need. (Circle One) It is requested that the following described record(s) be produced for inspection:

- 1. _____
2. _____
3. _____
4. _____

Signature _____

S A M P L E Title or Business identity (IF APPLICABLE)

INTERNAL USE ONLY Records Produced for Inspection

The following records were not produced in compliance with the presented request for the reason indicated:

Reasons for Non-Production of Requested Record:

- 1. Unable to locate
2. Unable to locate as described
3. Record is privileged/confidential
4. Privileged portions of record have been deleted

Production Delay Encountered: Date _____

YES or NO

Time _____

Signature of Record Custodian _____

REQUEST FOR COPYING OF CITY PUBLIC RECORDS

Name of City Department Date
Name Telephone No.
Address

Copies of the following described records are requested pursuant to the Oklahoma Open Records Act:

Table with 2 columns: Record Title/Date, Number of Copies. Includes numbered list items 1-4.

RECORD CUSTODIAN SHALL NOTE IN MARGIN ANY RECORD NOT PRODUCED

This request is made for a business or personal need. (Circle One) I have been advised that a charge for copying public records is authorized by state law and has been established by the City of Tulsa.

SAMPLE

Signature

Title or Business identity (IF APPLICABLE)

INTERNAL USE ONLY

Request Date Request Time Search Fee Charged YES or NO Record/Copy Produced: Date Time Charge for non-office copy equipment \$ Search time hours minutes Copies made Total charges \$ Delay in Production YES or NO Charges Paid \$ Reason Receipt Number Signature of Record Custodian